

The following document is the minutes of the Council and Committee meetings held on 26 February 2009. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 12 March 2009 and therefore subject to change. Please refer to minutes of 12 March 2009 for confirmation.



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING (CORPORATE BUSINESS COMMITTEE)

COUNCIL CHAMBERS COUNCIL ADMINISTRATION BUILDING COFF AND CASTLE STREETS, COFFS HARBOUR

26 FEBRUARY 2009

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COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
(CORPORATE BUSINESS COMMITTEE)
26 FEBRUARY 2009

Present: Councillors K Rhoades (Mayor), J Arkan, J Bonfield, R Degens, M Graham, K Hines, D Knight, W Palmer and P Templeton.

Staff: General Manager, Director Corporate Business, Director City Services, Director Land Use, Health & Development and Executive Assistant.

The meeting commenced at 5.39 pm with the Mayor, Cr K D Rhoades in the chair.

The Mayor requested a motion to adjourn the Ordinary meeting and resolve into the Corporate Business Committee meeting.

CORPORATE BUSINESS COMMITTEE

- 22** **RESOLVED** (Templeton/Hines) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Corporate Business Committee meeting, the time being 5.40 pm.

The Mayor invited Cr J Bonfield to chair the Corporate Business Committee.

CORPORATE BUSINESS DEPARTMENT REPORTS

C3 KEY FINANCIAL INDICATORS - 2007/2008

Consideration of the Coffs Harbour City Council Sustainable Financial Health Checks and the Local Government North Coast Industry Performance Indicators for the year ended 30 June 2008.

- CB1** **RECOMMENDED** (Palmer/Templeton) that Council note the attached reports on the Sustainable Financial Health Checks and the Local Government North Coast Industry Performance Indicators.

C4 QUARTERLY PERFORMANCE REPORTING FOR QUARTER ENDED 31 DECEMBER 2008

To report on the achievement of customer service guarantees and performance targets for the October to December 2008 quarter

- CB2** **RECOMMENDED** (Rhoades/Palmer):

1. Council notes the issues surrounding those measures that have not been achieved for the period ending 31 December 2008, as listed in the body of this report.
2. That Council note the achievements of customer service guarantees, as outlined in Attachment 1 of the General Manager's Report for the October to December 2008 quarter.
3. That Council note the organisation's significant achievements, as outlined in Attachment 2 of the General Manager's Report for the October to December 2008 quarter.
4. That Council note the achievement of performance targets, as outlined in a separate booklet which is available in the Councillors' Room for the October to December 2008 quarter.
5. That Council continues to monitor its performance with a view to improving service delivery.

C5 QUARTERLY BUDGET REVIEW FOR DECEMBER 2008

To report on the estimated budget position as at 31 December 2008.

CB3 RECOMMENDED (Palmer/Templeton) that:

1. The variations in the attached exception report be approved.
2. The revised Budget position as at 31 December 2008 be noted:

	General Account \$	Water Account \$	Sewer Account \$
Original Budget adopted 30th June 2008	93,365 (D)	6,695,376 (D)	6,820,832
Approved Variations to 31 October 2008	53,631 (D)	280,826 (S)	272,003 (S)
Recommended variations for November & December per attached exception report	304,717 (D)	122,317 (D)	121,600 (S)
Estimated result 2008/09 as at 31 December 2008	344,451 (D)	6,536,867	6,427,229

C6 COFFS COAST STATE PARK TRUST AND WOOLGOOLGA BEACH RESERVE TRUST ANNUAL TRADING REPORT 2007-2008

To report on the trading performance of the Coffs Coast State Park Trust and Woolgoolga Beach Reserve Trust Caravan and Holiday Park operations for the period 1 July 2007 to 30 June 2008.

CB4 RECOMMENDED (Palmer/Hines) that Council note the 07/08 Annual Trading Report for the Coffs Coast State Park Trust and Woolgoolga Beach Reserve Trust operations.

C7 COUNCILLORS' TRAVEL EXPENSES JULY-DECEMBER 2008

To report to Council on those expenses of Councillors for the period July to December 2008.

CB5 RECOMMENDED (Templeton/Degens) that the information be noted.

C8 BANK BALANCES AND INVESTMENTS FOR JANUARY 2009

To list Council's Bank Balances and Investments as at 31 January 2009.

CB6 RECOMMENDED (Rhoades/Templeton) that the bank balances and investments totaling one hundred and eighty two million, six hundred and ninety eight thousand, nine hundred and eighty dollars (\$182,698,980) as at 31 January 2009 be noted.

C9 SECTION 94 DEVELOPER CONTRIBUTIONS - DIRECTION BY THE MINISTER FOR PLANNING

To advise Council of changes to the Environmental Planning & Assessment Act 1979 relating to the introduction of a maximum amount of Section 94 contributions to be applied to development consents. This report recommends Council seek approval to apply contributions above the maximum amount in specific release areas.

CB7 RECOMMENDED (Palmer/Templeton):

1. Council note that the Minister for Planning has issued a Direction under Section 94E of the Environmental Planning & Assessment Act limiting the imposition of Section 94 monetary contributions to \$20,000 per lot or dwelling effective 30 April 2009
2. That Council endorse the proposal to request the Minister for Planning to approve the application of Section 94 contributions at the rate currently applicable for the four release areas where contributions exceed the \$20,000 maximum imposed under the Ministers Direction, those areas being West Coffs Harbour, Hearn's Lake/Sandy Beach, Moonee (north of Moonee Beach Road), and Korora Rural Residential Area
3. That Council endorse the proposal to request the Minister of Planning to approve the Review of the Section 94 Contribution Plan for Boambee Creek East and West Woolgoolga with the aim of bringing these under the \$20,000 maximum imposed under the Ministers Direction.

C10 DLG COUNCILLOR DEVELOPMENT STRATEGY AND INFORMATION SEMINARS

To provide information to Council regarding the attendance of newly elected Councillors at Councillor Information Seminars, and feedback from Councillors who attended the seminars.

CB8 RECOMMENDED (Arkan/Degens) that Council note that the following Councillors completed attendance forms at one of the Department of Local Government Seminars, and have provided the following comments:

Cr Arkan: "Really good. Exceptional. A great networking opportunity. The set up was good. The workshops were good. They were informative."

Cr Degens: "Well Presented, Lots of information, quality of detail"

Cr Graham: "A bit lacking. A bit dry. It didn't inform me of anything I didn't already know. I did it as an essential session. I really felt it could have been more detailed. It was not so engaging."

Cr Hines: "Informative. It answered a broad range of questions."

Cr Templeton: "The information was relevant, but the biggest problem was the amount of information. It was a case of too much information in too short a time."

C11 ACQUISITION OF LAND FOR RECONSTRUCTION OF UPPER CORINDI ROAD, UPPER CORINDI

Report seeking Council approval for the acquisition of land required for the reconstruction of Upper Corindi Road.

CB9 RECOMMENDED (Palmer/Templeton:

1. Council proceed to acquire that area of land being approximately 9,645 square metres as shown on the attached plan, being part of Lot 1200 DP 829134 at Upper Corindi.
2. That Council purchase the land on the terms and conditions as detailed in this report.
3. That all necessary documents associated with the acquisition of the land be executed under the common seal of Council.
4. That the land acquired by Council be dedicated as public road.

C12 TENDER: CLEANING AND MAINTENANCE OF COUNCILS BUILDINGS

To report on the tenders received for the Provision of Cleaning and Maintenance of Council's Buildings and to gain Council approval for the acceptance of one (1) tender for all the five (5) relevant package categories (listed below in the subject matter "Issues).

CB10 RECOMMENDED (Hines/Templeton):

1. That Council accepts the Tender offer from TLC Enterprises in respect of Contract No. 08/09-379-TO for all five (5) Categories. TLC did not score the highest in category two (2) Woolgoolga Library, but were a close second to TBM.
2. That the contract documents be executed under Council's Seal.

CONCLUSION OF MEETING

The Chairman advised that the business of the Corporate Business Committee was concluded at 6:03 pm.

OPEN COUNCIL

The Mayor requested a motion to close the Committee meeting and move into Open Council.

- 23 RESOLVED** (Graham/Arkan) that the Committee now move into Open Council.

ADOPTION OF CORPORATE BUSINESS COMMITTEE REPORT

- 24 RESOLVED** (Templeton/Graham) that the recommendations of the Corporate Business Committee meeting be received and adopted.

REQUESTS FOR LEAVE OF ABSENCE

- 25 RESOLVED** (Palmer/Templeton) that Cr Bonfield be granted leave of absence from Council Meetings from 12 March and 26 March 2009.

MATTERS OF AN URGENT NATURE

1. **Moody's Road**

Cr Graham was contacted by a gravely ill resident of Crossmaglen who has a need to frequently access medical services via the use of Moody's Road. The resident complained of the state of Moody's Road which is a Council asset. He said that the Council managed area of the road is un-trafficable. Cr Graham advised that there was a significant risk to the gentleman's well being as he uses the road to gain access to medical services from his residence.

Cr Graham asked Council to immediately assess the condition of the road and upgrade the essential services and state of the road to a trafficable standard as a matter of Urgency.

The General Manager will have the matter investigated and inform Council, however the issues are how long and how much.

2. **Sealy Lookout**

Cr Degens asked Council if there had been any progress made regarding the beautifying the area including tree lopping and clearing.

The General Manager confirmed the location was Sealy Road Bruxner Park, and advised there is an upcoming briefing for councilors that will provide more information as the beautification of the area. This is becoming a major project involving numerous departments such as Forestry, National Parks, Tourism, Premiers Department and Council. All agencies and parties are investigating a possible sky walk similar to Dorrig National Park to assist with the balance between the natural beauty of nature and to also limit the interference in the area including continual tree lopping and threatened species conservation Act and EEC. The General Manager acknowledged the state of the provision of services there at the moment is unacceptable. There is a proposal which the General Manager will circulate to Councillors over the following week.

Cr Graham asked if possible that Community representatives, Tourism representatives and Conservation representatives be included on any steering committees for any consultation.

Cr Rhoades encouraged Cr Graham to be patient and the progress will move forward in due course.

QUESTIONS WITHOUT NOTICE

1. **Upgrade of Signage - Coffs Harbour Regional Airport**

Cr Palmer has had a resident raise the issue that signage to Airport is insufficient and for some members of the community it is difficult to locate and identify the Aeroplane icon on road signs.

Upgrade of Signage - Coffs Harbour Regional Airport...(Cont'd)

Cr Palmer asked Council to investigate the possibility of low down directional signage throughout the city.

The General Manager advised Cr Palmer that Council has just created a City Image committee within council that is currently addressing issues such as signage which is sub-standard. Cr Palmer's request will be added to the list of items to be investigated.

2. Sponsorship Contribution - Renewable Energy Fair

Cr Graham informed Council of the 4th Annual Renewable Energy Fair, Bellingen. Cr Graham asked if Coffs Harbour City Council can contribute sponsorship to event which will be run in late May. This is a regional event and could provide numerous benefits to Council including reducing greenhouse gas emissions in the region.

The General Manager needs more details, but he undertook to have the matter investigated and report to Cr Graham.

3. Unsealed Road Upgrade

Cr Arkan advised that two residents asked Cr Arkan about the status of the unsealed section near reservoir on the Old Coast Road. Cr Arkan asked if Council are planning on resealing or rebuilding that section of road.

The Director of City Services Jason Gordon advised Cr Arkan that that section of road is included in dust sealing program for next year. Mr. Gordon will report back to Council for further discussion as that program is currently undergoing a budget review and may be cut as part of the budgetary limitations.

4. Availability of Town Water - Johnsons Road

Cr Arkan had another resident enquire about Johnsons Road having no town water available and asked if there is access to the water supply or; are there any plans to make this service available.

The General Manager advised that the current policy is that Council does not supply town water to rural or residential property generally west of the highway.

5. Fluoridation of Water

Cr Knight addressed Cr Degens in regards to Fluoridation and Aluminium and the potential risks for Alzheimer's. Cr Knight supplied statistics detailing that in 2009 there is no evidence that Aluminium was the causal factor for Alzheimer's disease.

6. Clarification of Holiday Letting regulations

Cr Bonfield asked the Director of Planning to clarify two different rate payers' enquiries regarding the letting of a residential home as a holiday letting.

The Director of LUHD, Mr. Salter advised that Holiday letting has proved difficult for Local Councils in the past with DCP regulations - Under the LEP council does not have a definition of Holiday Letting which is why council can classify a dwelling as a motel even if it is a single house. Mr. Salter advised that he will report back to council.

7. Complaints - Centro Toormina

Cr Bonfield received a letter from Mr. David Quinn regarding complaints about Centro Toormina including landscaping; the installation of a diesel generator, access to the Centre from Wirrabilla Drive, and; storm water drains. Cr Bonfield asked if the other Councillors had also received the letter. Councillors indicated they had received and furthermore asked if the matter had been addressed by Council.

The Director of LUHD, Mr. Salter advised that a Senior Planner of Council had responded to the matter.

8. Status of Development Application - Bluff Road, Emerald Beach

Cr Bonfield asked for an update regarding the status of the DA lodged for the parcel of land at the end of Bluff Road Emerald Beach.

The Director of LUHD, Mr Salter advised Cr Bonfield that the Development Application had been amended on several occasions and the last application had just come off notification. At this time two submissions have been received regarding the last application. Land Use Health and Development department intend to report the Development Application to Council.

9. Councils responsibility for Road Maintenance

Cr Bonfield has had an enquiry from a concerned citizen about the proposal of a Rural School located at the end of the valley at Crossmaglen in close proximity to the Blueberry farm. As part of a recent public address on the matter, the proponents said there will be alot of traffic, but Council will need to fix the roads. Cr Bonfield asked if Council would be responsible for upgrading and maintaining the road.

The Director of LUHD, Mr. Salter - advised that the Application is still on public exhibition until the 14th March 2009. Submissions are welcomed.

10. BCU Stadium - Wet Weather Event Information

Cr Hines received comments from a member of the public regarding the Stadium, as to why there is not an availability of a seating plan on Council's website and given the weather on the day of the event (Rabbitohs Football game) why wasn't there some form of advisory message on Council's Internet or switchboard if the game would still go ahead or if it was going to be cancelled. Cr Hines asked that Council's technical team or IT department look into installing or making available the above requests for future games or events.

11. Status Update - Drainage First Avenue Sawtell

Cr Hines requested an update on the drainage situation behind the shops on First Ave Sawtell as they have been experiencing more problems.

The General Manager undertook to investigate this matter.

12. Fluoridation of Town Water Supply

Cr Degens is supportive of having Fluoridation added into the water supply; however his concerns are for the Fluoride being added to the water without the community being made aware of the situation. Cr Degens suggested that the information for the community be made readily available and widely publicised to allow for community awareness and feedback. Cr Degens has requested a report come back to Council with the current findings in terms of the mixing of different aluminium compounds with fluoride and how it relates to Alzheimer's disease.

The General Manager referred Cr Degens to Council's contact within the Department of Health as it is not a matter of a Council report or a matter of a Council resolution whether it is acceptable or not. The General Manager advised Cr Degens that there is currently a strong process underway for informing the community.

Director City Services Mr. Jason Gordon advised that as part of commissioning the new Water Treatment Plant Council has been instructed by the Department of Health to fluoridate water supply. As part of the process Council must notify every single water user within the City that the water will be fluoridated. A draft newsletter will be issued over the next month with an attachment from the Department which details the process and also provides a contact number for any questions or concerns the community may have. This will be sent to every household notifying them of the upcoming changes to the water supply. A report will go to the Executive Team meeting outlining a short briefing for the Councillors that will detail the information to be provided to the community as Council is expecting to receive calls about the matter. In regards to the new Water Treatment Plant Council always acts in accordance with current guidelines within Australia and have to report to the Department of Health on those standards on a regular basis.

13. Status update - Land at Moonee

Cr Graham advised Council that in the Moonee area there are two parcels of land that are completely vegetated.

1. South Moonee Forest
2. A block of land called 'Seddons' (Mrs. Seddon has owned the parcel of land for 30 years)

Cr Graham asked the Director of LUHD for advice as to what is occurring on Seddons land, specifically whether a DA had been lodged, if so, where is it up to and how will Council consider that matter, given that Seddons land is outside of the mapped growth area boundaries contained within the Mid North Coast regional strategy.

The General Manager asked the Director of Land Use Health and Development to explain to the Councillors where the parcel of land is located.

Director of LUHD, Mr. Salter advised that the land is on the Northern side of Moonee Beach Road down towards the shop to the east of the Escapades. There currently is a DA into Council to subdivide 9 or 11 lots and those lots are proposed in the non vegetated area, the rest of the site will be either donated to the state park or will be retained for some conservation purpose. The application has had internal referrals to the technical departments including the Bio-diversity Department, and are currently awaiting replies from the Rural Fire Service and one other Government Department and those will be assessed in time.

Cr Graham urged that the most important part of the question was that the land in question 'Seddons Land' is located outside mapped growth area boundaries contained within the Department of Planning's Mid North Coast Regional Strategy. The land that is within those growth area boundaries are flagged for the next 20-30 years of development. How will council consider that land outside the mapped growth area boundary?

The General Manager took the matter on notice and will provide the information to Cr Graham as the matter is relatively complicated, but it is within the Moonee Township that must be considered.

The Director of LUHD, Mr. Salter agreed with the General Manager to get back to Cr Graham with an update as it is a technical question; however Mr. Salter believed that land is already zoned Residential 2A.

This concluded the business and the meeting closed at 6.30pm.

Confirmed: 12 March 2009.

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Keith Rhoades AFSM
Mayor